REGULATION No. I OF 1887.

(PASSED ON THE 5TH DAY OF MARCH 1887.)

A Regulation for the regulation and control of Hackney-carriages in the City of Bangalore.

WHEREAS it is expedient to provide for the regulation and control of hackney-carriages in the City of Bangalore; His Highness the Maharaja is pleased to enact as follows:— Preamble.

1. This Regulation may be called the "Bangalore City Hackney-carriage Regulation, 1887." Short title.

It extends to the City of Bangalore; Local extent.

And it shall come into force at once. Commencement.

2. In this Regulation "Hackney-carriage" means any wheeled vehicle drawn by animals, and used for the conveyance of passengers, which is kept, or offered, or plies, for hire. "Hackney-carriage" defined

3. The Municipal Commissioners of the City of Bangalore may, from time to time, make rules for the regulation and control of hackney-carriages within the limits of that Municipality in the manner in which, under the law for the time being in force, it makes bye-laws for the regulation and control of other matters within those limits. Power to make rules.

Every rule made under this section shall, when confirmed by the Government of Mysore, and published for such time and in such manner as the Government may from time to time prescribe, have the force of law:

Provided that the Government of Mysore may, at any time, rescind any such rule.

4. The rules to be made under section 3 may, among other matters— Matters as to which rules may be made.

(*a*) direct that no hackney-carriage, or no hackney-carriage of a particular description, shall be let to hire, or taken to ply, or offered for hire, except under a license granted in that behalf under this Regulation or under the Bangalore Hackney-carriage Regulation;

(*b*) direct that no person shall act as driver of a hackney-carriage except under a license granted in that behalf under this Regulation or under the Bangalore Hackney-carriage Regulation;

(*c*) provide for the issue of the licenses referred to in clauses (*a*) and (*b*), prescribe the conditions (if any) on which such licenses shall be granted, and fix the fees (if any) to be paid therefor;

(*d*) regulate the description of animals, harness, and other things to be used with licensed carriages, and the condition in which such carriages, and the animals, harness, and other things used therewith, shall be kept, and the lights (if any) to be carried after sunset and before sunrise;

(*e*) provide for the inspection of premises on which any such carriages, animals, harness and other things are kept;

(*f*) fix the time for which such licenses shall continue in force, and the events (if any) upon which within that time they shall be subject to revocation or suspension;

(*g*) provide for the numbering of such carriage;

(*h*) determine the times at which, and the circumstances under which, any person keeping a hackney-carriage shall be bound to let or refuse to let the carriage to any person requiring the same;

(*i*) appoint places as stands for hackney-carriages, and prohibit such carriages waiting for hire except at such places;

(*j*) limit the rates or fares, as well for time as distance, which may be demanded for the hire of any hackney-carriage; and prescribe the minimum speed at which such carriages when hired by time shall be driven;

(*k*) limit the number of persons, and the weight of property, which may be conveyed by any such carriage;

(*l*) require the owner or person in charge of any such carriage to keep a printed list of fares in English and such other language as may be prescribed affixed inside such carriage in such place as may be determined by the rules, and prohibit the destruction or defacement of such list;

(*m*) require drivers to wear a numbered badge or ticket, and to produce their licenses when required by a Magistrate or other person authorized by the rules in this behalf, and prohibit the transfer or lending of such licenses and badges; and

(*n*) provide for the deposit of property found in such carriages and the payment of a fee by the owner of such property on the delivery thereof to him.

License when subject to revocation or suspension.

5. (1) A license granted under the Rules under section 3 above shall be subject to revocation or suspension upon any event upon which it would be so subject under the law in force in the Civil and Military Station of Bangalore, or the City of Bangalore, as the case may be, as well as upon any event prescribed by the Rules under which the license is granted.

(2) Any person breaking any rule made under this Regulation shall be punished with fine which may extend to fifty rupees. Penalty for breach of rule.

6. The amount of any fees received and the amount of any expenses incurred in giving effect to this Regulation shall be credited and debited respectively to the Municipal Fund of the City of Bangalore. Fees and expenses.

7. If any dispute arises between the hirer of any hackney-carriage and the owner or driver of such carriage as to the amount of the fare payable by such hirer under any rule made under this Regulation, such dispute shall, upon application made in that behalf by either of the disputing parties, be heard and determined by any Magistrate or Bench of Magistrates in the City of Bangalore within the local limits of whose jurisdiction such dispute has arisen; and such Magistrate or Bench may, besides determining the amount so in dispute, direct that either party shall pay to the other such sum as compensation for loss of time as such Magistrate or Bench thinks fit. Decision of disputes between hirer and owner or driver of carriage.

Any sum determined to be due or directed to be paid under this section shall be recoverable as if it were a fine.

The decision of such Magistrate or Bench in any case under this section shall be final.

When any such case is heard by a Bench, any difference of opinion arising between the members of such Bench shall be settled in the same manner as differences of opinion arising between such members in the trial of criminal cases.

8. If, at any time any dispute mentioned in section 7 arises, any Magistrate having jurisdiction in respect of such dispute is sitting, the hirer of the carriage may require the driver thereof to take him in the same to the Court of such Magistrate for the purpose of making an application under that section. Driver to take hirer in carriage to Court of Magistrate.

Any driver neglecting or refusing to comply with such requisition shall be punished with imprisonment for a term which may extend to one month, or with fine not exceeding fifty rupees, or with both.

9. If any person using a hackney-carriage under this Regulation wilfully or negligently injures the same, he shall be punished with a fine which may extend to twenty rupees and shall also pay to the owner of the hackney-carriage compensation for the injury, the amount of the compensation to be fixed by the convicting Magistrate, and to be recovered as a fine. Penalty for injuring carriage.